

1 AN ACT in relation to the regulation of drycleaners.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Drycleaner Environmental Response Trust
5 Fund Act is amended by changing Section 60 as follows:

6 (415 ILCS 135/60)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 60. Drycleaning facility license.

9 (a) On and after January 1, 1998, no person shall
10 operate a drycleaning facility in this State without a
11 license issued by the Council.

12 (b) The Council shall issue an initial or renewal
13 license to a drycleaning facility on submission by an
14 applicant of a completed form prescribed by the Council and
15 proof of payment of the required fee to the Department of
16 Revenue.

17 (c) The annual fees for licensure are as follows:

18 (1) \$500 for a facility that purchases 140 gallons
19 or less of chlorine-based drycleaning solvents annually
20 or 1400 gallons or less of hydrocarbon-based drycleaning
21 solvents annually.

22 (2) \$1,000 for a facility that purchases more than
23 140 gallons but less than 360 gallons of chlorine-based
24 drycleaning solvents annually or more than 1400 gallons
25 but less than 3600 gallons of hydrocarbon-based
26 drycleaning solvents annually.

27 (3) \$1,500 for a facility that purchases 360
28 gallons or more of chlorine-based drycleaning solvents
29 annually or 3600 gallons or more of hydrocarbon-based
30 drycleaning solvents annually.

31 For purpose of this subsection, the quantity of

1 drycleaning solvents purchased annually shall be determined
2 as follows:

3 (1) in the case of an initial applicant, the
4 quantity of drycleaning solvents that the applicant
5 estimates will be used during his or her initial license
6 year. A fee assessed under this subdivision is subject
7 to audited adjustment for that year; or

8 (2) in the case of a renewal applicant, the
9 quantity of drycleaning solvents actually used in the
10 preceding license year.

11 The Council may recommend fee changes to the General
12 Assembly, but may not adjust licensing fees annually-based-on
13 ~~the--published--Consumer--Price--Index---All-Urban-Consumers~~
14 ~~("CPI-U")-or-as-otherwise-determined-by-the-Council.~~

15 (d) A license issued under this Section shall expire one
16 year after the date of issuance and may be renewed on
17 reapplication to the Council and submission of proof of
18 payment of the appropriate fee to the Department of Revenue
19 in accordance with subsections (c) and (e). At least 30 days
20 before payment of a renewal licensing fee is due, the Council
21 shall attempt to:

22 (1) notify the operator of each licensed
23 drycleaning facility concerning the requirements of this
24 Section; and

25 (2) submit a license fee payment form to the
26 licensed operator of each drycleaning facility.

27 (e) An operator of a drycleaning facility shall submit
28 the appropriate application form provided by the Council with
29 the license fee in the form of cash or guaranteed remittance
30 to the Department of Revenue. The license fee payment form
31 and the actual license fee payment shall be administered by
32 the Department of Revenue under rules adopted by that
33 Department.

34 (f) The Department of Revenue shall issue a proof of

1 payment receipt to each operator of a drycleaning facility
2 who has paid the appropriate fee in cash or by guaranteed
3 remittance. However, the Department of Revenue shall not
4 issue a proof of payment receipt to a drycleaning facility
5 that is liable to the Department of Revenue for a tax imposed
6 under this Act. The original receipt shall be presented to
7 the Council by the operator of a drycleaning facility.

8 (g) An operator of a dry cleaning facility who is
9 required to pay a license fee under this Act and fails to pay
10 the license fee when the fee is due shall be assessed a
11 penalty of \$5 for each day after the license fee is due and
12 until the license fee is paid. The penalty shall be effective
13 for license fees due on or after July 1, 1999.

14 (h) The Council and the Department of Revenue may adopt
15 rules as necessary to administer the licensing requirements
16 of this Act.

17 (Source: P.A. 90-502, eff. 8-19-97; 91-453, eff. 8-6-99.)